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PATENT  
Customer No. 22,852  
Attorney Docket No. 01035.0028-04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
**John BOYLAN et al.** ) Group Art Unit: 3738  
)  
Application No.: 10/814,326 ) Examiner: Phan, H.  
)  
Filed: March 30, 2004 )  
)  
For: RADIOPAQUE AND MRI ) Confirmation No.: 5142  
COMPATIBLE NITINOL ALLOYS )  
FOR MEDICAL DEVICES )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**Response to Notice of Non-Compliant Amendment**

In response to the Notice of Non-Compliant Amendment mailed December 13, 2005, Applicants respectfully request that the attached claim listing and remarks be substituted for the claim listing and remarks of the Amendment dated October 5, 2005. The enclosed claim listing and remarks are identical to those submitted in the Amendment dated October 5, 2005, except that they are now on separate pages, as required by the Notice of Non-Compliant Amendment, and include a signature at the end.

Accordingly, Applicants submit that the corrected claim listing and remarks are now proper, and place Applicants' response of October 5, 2005 in compliance and thus in condition for immediate examination.

In view of the attached amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 9, 2005

By:



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Michele C. Bosch  
Reg. No. 40,524

**Attachments:**

- Replacement Sheets for Reply Dated Oct. 5, 2005: Claims (6 pp.)
- Replacement Sheets: Remarks for Reply Dated Oct. 5, 2005 (8 pp.)